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11 EZEQUIEL MADRID CATALAN

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14 UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16
17 UNITED STATES OF AMERICA,

18 Plaintiff,

19 v.

20 EZEQUIEL MADRID CATALAN,

21 Defendant.

22 No. Cr. F 03-5364 LJO

23 **STIPULATED MOTION AND ORDER TO
24 REDUCE SENTENCE PURSUANT TO 18
U.S.C. § 3582(c)(2)**

25 RETROACTIVE DRUGS-MINUS-TWO
REDUCTION CASE

26 Judge: Honorable Lawrence J. O'Neill

27
28 Defendant, EZEQUIEL MADRID CATALAN, by and through his attorney, Assistant
Federal Defender David M. Porter, and plaintiff, UNITED STATES OF AMERICA, by and
through its counsel, Assistant U.S. Attorney Kathleen A. Servatius, hereby stipulate as follows:

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30 1. Pursuant to 18 U.S.C. § 3582(c)(2), this Court may reduce the term of
imprisonment in the case of a defendant who has been sentenced to a term of imprisonment
based on a sentencing range that has subsequently been lowered by the Sentencing Commission
pursuant to 28 U.S.C. § 994(o);

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32 2. On April 18, 2005, this Court sentenced Mr. Catalan to a term of 210 months
imprisonment;

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34 3. His total offense level was 37, his criminal history category was I, and the
resulting guideline range was 210 to 262 months;

1 4. The sentencing range applicable to Mr. Catalan was subsequently lowered by the
2 United States Sentencing Commission in Amendment 782, made retroactive on July 18, 2014,
3 see 79 Fed. Reg. 44,973;

4 5. Mr. Catalan's total offense level has been reduced from 37 to 35, and his amended
5 guideline range is 168 to 210 months;

6 6. Accordingly, the parties request the Court enter the order lodged herewith
7 reducing Mr. Catalan's term of imprisonment to a term of 168 months.

8 Respectfully submitted,

9 Dated: June 11, 2015

10 Dated: June 11, 2015

11 BENJAMIN B. WAGNER
United States Attorney

12 HEATHER E. WILLIAMS
Federal Defender

13 */s/ Kathleen A. Servatius*
KATHLEEN A. SERVATIUS
Assistant U.S. Attorney

14 */s/ David M. Porter*
DAVID M. PORTER
Assistant Federal Defender

15 Attorney for Plaintiff
UNITED STATES OF AMERICA

16 Attorney for Defendant
EZEQUIEL MADRID CATALAN

17 **ORDER**

18 This matter came before the Court on the stipulated motion of the defendant for reduction
19 of sentence pursuant to 18 U.S.C. § 3582(c)(2).

20 The parties agree, and the Court finds, that Mr. Catalan is entitled to the benefit
21 Amendment 782, which reduces the total offense level from 37 to 35, resulting in an amended
22 guideline range of 168 to 210 months.

23 IT IS HEREBY ORDERED that the term of imprisonment imposed in April 2005 is
24 reduced to a term of 168 months, effective as of November 1, 2015. If this sentence is less than
25 the amount of time the defendant has already served as of November 1, 2015, the sentence is
26 reduced to a time served sentence. In no event is this Order to be understood as authorizing
27 release prior to November 1, 2015 or authorizing a term of imprisonment less than the term
28 actually served on November 1, 2015.

1 IT IS FURTHER ORDERED that all other terms and provisions of the original judgment
2 remain in effect. The clerk shall forthwith prepare an amended judgment reflecting the above
3 reduction in sentence, and shall serve certified copies of the amended judgment on the United
4 States Bureau of Prisons and the United States Probation Office.

5 Unless otherwise ordered, Mr. Catalan shall report to the United States Probation Office
6 within seventy-two hours after his release.

7 IT IS SO ORDERED.

8 Dated: June 12, 2015

9 /s/ Lawrence J. O'Neill
10 UNITED STATES DISTRICT JUDGE

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